

Senate Study Bill 1019 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON BOWMAN)

A BILL FOR

1 An Act relating to intermediate driver's licenses and special
2 minor's licenses, making a penalty applicable, and including
3 effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180B, subsection 2, Code 2013, is
2 amended to read as follows:

3 2. *Intermediate license.*

4 a. The department may issue an intermediate driver's license
5 to a person sixteen or seventeen years of age who possesses an
6 instruction permit issued under subsection 1 or a comparable
7 instruction permit issued by another state for a minimum of
8 ~~six~~ twelve months immediately preceding application, and
9 who presents an affidavit signed by a parent, guardian, or
10 custodian on a form to be provided by the department that the
11 permittee has accumulated a total of twenty hours of street
12 or highway driving of which two hours were conducted after
13 sunset and before sunrise and the street or highway driving was
14 with the permittee's parent, guardian, custodian, instructor,
15 a person certified by the department, or a person at least
16 twenty-five years of age who had written permission from a
17 parent, guardian, or custodian to accompany the permittee, and
18 whose driving privileges have not been suspended, revoked,
19 or barred under this chapter or chapter 321J during, and who
20 has been accident and violation free continuously for, the
21 six-month period immediately preceding the application for an
22 intermediate license. An applicant for an intermediate license
23 must meet the requirements of section 321.186, including
24 satisfactory completion of driver education as required in
25 section 321.178, and payment of the required license fee before
26 an intermediate license will be issued. A person issued an
27 intermediate license must limit the number of passengers in
28 the motor vehicle when the intermediate licensee is operating
29 the motor vehicle to the number of passenger safety belts. In
30 addition, for the first six months following issuance of the
31 license, a person issued an intermediate license must limit the
32 number of unrelated minor passengers in the motor vehicle when
33 the intermediate licensee is operating the motor vehicle to
34 one, except when the intermediate licensee is accompanied in
35 accordance with subsection 1. For purposes of this subsection,

1 "unrelated minor passenger" means a passenger who is under
2 eighteen years of age and who is not a sibling of the driver, a
3 stepsibling of the driver, or a child who resides in the same
4 household as the driver.

5 **b.** Except as otherwise provided, a person issued an
6 intermediate license under this subsection who is operating a
7 motor vehicle between the hours of 12:30 a.m. and 5:00 a.m.
8 must be accompanied by a person issued a driver's license
9 valid for the vehicle operated who is the parent, guardian, or
10 custodian of the permittee intermediate licensee, a member of
11 the permittee's intermediate licensee's immediate family if the
12 family member is at least twenty-one years of age, an approved
13 driver education instructor, a prospective driver education
14 instructor who is enrolled in a practitioner preparation
15 program with a safety education program approved by the state
16 board of education, or a person at least twenty-five years of
17 age if written permission is granted by the parent, guardian,
18 or custodian, and who is actually occupying a seat beside the
19 driver. However, a licensee may operate a vehicle to and from
20 school-related extracurricular activities and work without an
21 accompanying driver between the hours of 12:30 a.m. and 5:00
22 a.m. if ~~such~~ the licensee possesses a waiver on a form to be
23 provided by the department. An accompanying driver is not
24 required between the hours of 5:00 a.m. and 12:30 a.m.

25 Sec. 2. Section 321.194, subsection 1, Code 2013, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *Ob.* Unless accompanied in accordance with
28 section 321.180B, subsection 1, a person issued a driver's
29 license pursuant to this section must limit the number of
30 unrelated minor passengers in the motor vehicle when the
31 licensee is operating the motor vehicle to one. For purposes
32 of this section, "unrelated minor passenger" means a passenger
33 who is under eighteen years of age and who is not a sibling of
34 the driver, a stepsibling of the driver, or a child who resides
35 in the same household as the driver.

S.F. _____

1 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
2 2014.

3	EXPLANATION
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4 This bill amends provisions relating to intermediate
5 driver's licenses under the graduated driver licensing program
6 and to special minor's licenses issued for travel to and from
7 school.

8 Under the graduated driver licensing program, a person who
9 is 16 or 17 years of age must possess an instruction permit for
10 a minimum of six months to qualify for an intermediate license.
11 During that period, the permittee must accumulate a total of
12 20 hours of street or highway driving while accompanied by
13 the permittee's parent, guardian, custodian, or instructor,
14 a person certified by the department of transportation, or a
15 person at least 25 years of age with written permission from a
16 parent, guardian, or custodian to accompany the permittee. The
17 hours of accompanied driving must include two hours conducted
18 after sunset and before sunrise. The bill increases the
19 required period of possession of an instruction permit to 12
20 months, with no change in the required hours of accompanied
21 driving.

22 Under current law, an intermediate licensee may transport
23 only as many passengers as there are seatbelts in the vehicle,
24 but there is no passenger restriction specified for a driver
25 with a special minor's license. The bill imposes a new
26 passenger restriction for licensees in both categories.
27 Unless accompanied by a person licensed to drive the vehicle
28 operated who is the parent, guardian, or custodian of the
29 intermediate licensee, a family member who is at least 21 years
30 of age, an approved driver education instructor, a prospective
31 driver education instructor who is enrolled in a qualifying
32 practitioner preparation program, or a person at least 25 years
33 of age with the written permission of the parent, guardian, or
34 custodian of the intermediate licensee and who is occupying a
35 seat beside the driver, a person with an intermediate license

1 or a special minor's license may not operate a motor vehicle
2 with more than one unrelated minor passenger in the vehicle.
3 The restriction on unrelated minor passengers is lifted for
4 an intermediate licensee after six months. The bill defines
5 "unrelated minor passenger" as a passenger under 18 years of
6 age who is not a sibling or stepsibling of the driver or a child
7 who resides in the same household as the driver.

8 A violation of intermediate driver's license restrictions or
9 special minor's license restrictions is a simple misdemeanor
10 punishable by a scheduled fine of \$50.

11 The bill takes effect January 1, 2014.